



City of Seattle

Gregory J. Nickels, Mayor

Department of Design, Construction and Land Use

D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF DESIGN, CONSTRUCTION AND LAND USE**

Application Number: 2206204
Applicant Name: James L. Anderson
Address of Proposal: 5315 15th Avenue NW

SUMMARY OF PROPOSED ACTION

Master Use Permit to construct a 200 sq. ft. cooler addition and a new 38 sq. ft. second drive through window to an existing fast food restaurant (Wendy's). Project includes re-orientation of parking to provide for 25* stalls.

* The project originally included 27 parking spaces and replacement of existing solarium. The solarium was replaced under separate permit.

The following approval is required:

Administrative Conditional Use - To allow expansion of an existing fast food restaurant over 750 sq. ft. in size.

SEPA DETERMINATION: ☒ Exempt ☐ DNS ☐ MDNS ☐ EIS
 ☐ DNS with conditions
 ☐ DNS involving non-exempt grading or demolition, or
 involving another agency with jurisdiction.

BACKGROUND DATA

Site Description

The subject property is zoned Commercial One with a sixty five (65) foot (C1-65) height limit. The site is located on the southwest corner of NW 54th Street and 15th Avenue NW in the Ballard area. The site is flat and is developed with an existing 2730 sq. ft. fast food restaurant (Wendy's) located along the northerly portion of the site. Surface parking is located on the south and west portions of the site.

The surrounding neighborhood is zoned C1-65 on both sides of 15th Avenue NW, to NW 57th to the north and to NW 51st to the south. NW 57th Street directly west of the subject site changes to Neighborhood Commercial 3 with a 65' height limit (NC3-65') and is developed with mostly single family residences. The southwest corner of the subject site abuts an L-3 zone which continues west to a property located at the northeast corner of 17th and 53rd where the zoning changes to NC3-65'. 15th Avenue NW is developed with such commercial uses as Walgreens directly across NW 54th to the north, Safeway across 15th Avenue NW to the northeast, an auto parts store directly across 15th and Skippers directly abutting the site to the south.

Proposal Description

The proposal* includes a new 200 sq. ft. walk-in cooler addition to be located on the west side of the building. Also proposed is a 38 sq. ft. second drive through window to be located west of the existing window. The purpose of the second drive through window is to provide customers with quicker service by taking money at the first window and providing the customer their food at the second window.

*The original proposal also included a pre-menu but due to concerns of reduced queuing the applicant has elected to withdraw this portion of the proposal.

Public Comment

The comment period ended on October 16, 2002. No comments were received.

ANALYSIS - ADMINISTRATIVE CONDITIONAL USE

Fast food restaurants which have gross floor area greater than 750 sq. ft. are allowed as a Conditional Use (section 23.47.006B1 SMC) in commercial zones subject to the following criteria:

- a. *The design of the structure, including architectural treatment, signage, landscaping and lighting, is compatible with other surrounding structures in the vicinity; and*

The additions are designed to be compatible with the existing building. Similar exterior finish materials, brick and standing seam metal roof, will be used with the colors to match or be complementary to the existing structure. Landscaping removed during this process will be replaced.

- b. *Appropriate litter control measures are provided; and*

Existing trash receptacles, one located at each entrance/exit, will remain so litter control efforts will continue as done in the past. The exterior trash receptacles are in place to eliminate customer litter beyond the property boundaries.

- c. *The applicant, if required by the Director, prepares an analysis of traffic, circulation and parking impacts, and demonstrates that the use does not:*

- (1) *Cause significant additional traffic to circulate through adjacent residential neighborhoods, or*

The addition of the second drive through window is designed to increase efficiency to customers by reducing the time they spend waiting in line. Studies done by Wendy's show that by dividing the labor between two windows, (one for the cashier and one for food delivery) the speed of the overall drive through line is increased and the wait time in the drive through lane is reduced. Studies of their existing Washington stores show that the stores that operate with two drive through windows averaged less drive through wait time than the stores that have one drive through window.

The proposed additions of a second drive through window and cooler space would not likely cause an increase of traffic through residential areas as the additions would not create additional customer seating area. It is a possibility that an increase in traffic could occur with the faster service in which case the majority of the traffic would likely come from 15th Avenue NW and from NW 54th. Both of these streets are in commercial zones although there are residential uses along NW 54th abutting the site. The potential increase in traffic would not likely be enough to warrant mitigation.

- (2) *Disrupt the pedestrian character of an area by significantly increasing the potential for pedestrian-vehicle conflicts, or*

The addition of the second drive through window should not increase any potential for pedestrian-vehicle conflicts.

- (3) *Create traffic or access problems which will require the expenditure of City funds to mitigate, or*

The proposed additions to this fast food restaurant should not create traffic or access problems that would require expenditure of City funds to mitigate.

- (4) *Interfere with peak-hour transit operations, by causing auto traffic to cross a designated high-occupancy vehicle lane adjacent to the lot, or*

Access to the property does not include crossing a designated high-occupancy vehicle lane so it will not interfere with peak hour transit operations in this manner.

- (5) *Cause cars waiting to use the facility to queue across the sidewalk or onto the street, or*

The addition of the second drive through window is designed to increase the efficiency of the drive through by reducing the wait times. There will be a reduction of one queuing space as a result of the new drive through window. The additional efficiency and reduced wait times the second drive through window provides should not increase the demand for waiting cars to queue across the sidewalk. This permit will be conditioned requiring the applicant to post a sign at the entrance of the drive through stating that cars are not to block the sidewalk.

- (6) *Interrupt established retail or service frontage designed to serve pedestrians;*

The proposed additions will not interrupt any pedestrian's ability to access established retail or service in the area.

d. *In addition to the criteria in subsections B1a, B1b and B1c, in pedestrian-designated zones, the use shall not:*

- (1) Include a drive-in facility, or*
- (2) Provide any accessory parking, or*
- (3) Attract a significant number of customers who drive to the pedestrian district for the primary purpose of patronizing the business. This shall be determined by a transportation analysis of travel modes and patterns of customers of similar businesses in the same or similar commercial areas, which shall be prepared by a traffic consultant retained by the applicant;*

This criterion does not apply to this proposal as the site is not located in a pedestrian designated zone.

e. *Fast food restaurants which are drive-in businesses shall also comply with the provisions of Section 23.47.028, Standards for drive-in-businesses.*

The fast food restaurant is already an existing business and will not be changing therefore is not subject to criterion “e” above.

DECISION - ADMINISTRATIVE CONDITIONAL USE

The Administrative Conditional Use permit to allow a single-purpose residence (single family residence) in a C1 zone is **CONDITIONALLY GRANTED.**

CONDITIONS

Prior to Final Signoff and for the Life of the Project

1. The applicant or owner will place a sign on the property visible to Wendy’s drive through customers at the location or close to the location shown on the plans. This sign shall read “DO NOT BLOCK THE SIDEWALK” and shall be in letters at least three inches high and shall provide contrast between letters and sign so the words are clearly visible (such as black letters on a white board).

Signature: (signature on file) Date: March 27, 2003

Lori Swallow, Land Use Planner
Department of Design, Construction and Land Use
Land Use Services